

RESOLUTION NO. 030909

A RESOLUTION OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, APPROVING THE USE AND OCCUPATION OF THE ABUTTING AND ADJACENT SIDEWALK TO PREMISES LOCATED AT 17 LINCOLN SQUARE, GETTYSBURG BOROUGH, ADAMS COUNTY, PENNSYLVANIA AND USED BY HAUSER ESTATE, INC. t/a HAUSER ESTATE WINERY IN CONNECTION WITH ITS LIMITED WINERY LICENSE (LK 256) ISSUED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

WHEREAS, Hauser Estate, Inc. t/a Hauser Estate Winery (the "Applicant") operates a business located at 17 Lincoln Square, Gettysburg Borough, Adams County, Pennsylvania in connection with its Limited Winery License (LK 256) issued by the Pennsylvania Liquor Control Board; and

WHEREAS, the Applicant proposes to file an application with the Pennsylvania Liquor Control Board for approval to extend its licensed premises to the abutting and adjacent sidewalk in an area as shown on Applicant's drawing which is attached hereto as Exhibit "A" and is incorporated herein by reference; and

WHEREAS, consistent with 40 Pa. Code § 7.21(c), a licensee of the Pennsylvania Liquor Control Board requesting extension of its licensed premises to include the abutting and adjacent sidewalk shall obtain and file with its application for extension of premises written approval issued by the proper municipal authority approving the operation of the licensed business on the sidewalk area; and

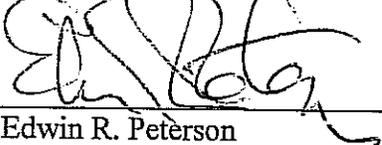
WHEREAS, pursuant to Chapter 21, Section 223.3 of the Code of Ordinances of the Borough of Gettysburg, a licensee of the Pennsylvania Liquor Control Board may be authorized to serve alcoholic beverages in the abutting and adjacent sidewalk area a distance of no more than eight (8') feet from the property line of the premises subject to certain conditions set forth therein.

WHEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Gettysburg does hereby approve the request of Hauser Estate, Inc. t/a Hauser Estate Winery to use and occupy the abutting and adjacent sidewalk to its business premises located at 17 Lincoln Square, Borough of Gettysburg, Adams County, Pennsylvania for the service of alcoholic beverages (alcoholic ciders and wines) consistent with its Limited Winery License (LK 256) issued by the Pennsylvania Liquor Control Board. The Applicant's use and occupation of the abutting and adjacent sidewalk shall be in the area as shown on Exhibit "A" and shall not exceed a distance of eight (8') feet from the property line of the premises located at 17 Lincoln Square as shown on Exhibit "A." The Applicant shall use, occupy and maintain such sidewalk area consistent with Chapter 21, Section 223.3 of the Code of Ordinances of the Borough of Gettysburg. This approval is specifically conditioned upon the Applicant

receiving final approval from the Pennsylvania Liquor Control Board for extension of its licensed premises at 17 Lincoln Square to include the abutting and adjacent sidewalk as shown on Exhibit "A."

THIS RESOLUTION DULY ADOPTED according to law on the 9th day of March, 2009, at a duly advertised regular meeting of the Borough Council of the Borough of Gettysburg.

BOROUGH OF GETTYSBURG

By: 
Edwin R. Peterson
President of Borough Council

Attest:


Sara L. Stull, Secretary

APPROVED this 9th day of March, 2009.

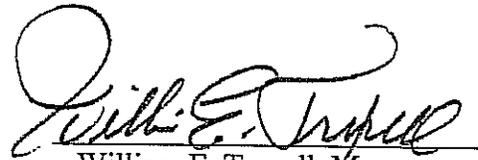

William E. Troxell, Mayor

Exhibit "A"

